

AUSA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

APR -3 AM 9:47

'08 MJ 1022

UNITED STATES OF AMERICA,

Plaintiff,

v.

Juan Ricardo FLORES-Suarez
AKA: Juan Manuel FLORES Martinez

Defendant.

Magistrate Case No. _____

KUH

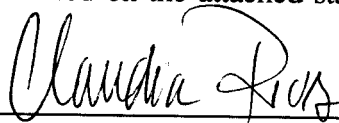
COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Alien(s)
Without Presentation

The undersigned complainant being duly sworn states:

On or about **April 1, 2008**, within the Southern District of California, defendant, **Juan Ricardo FLORES-Suarez, AKA: Juan Manuel FLORES Martinez** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Erika CABRERA- Espinoza, Fernando FUENTES -Cardenas** and **Salvador CABRERA- Alvarez**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

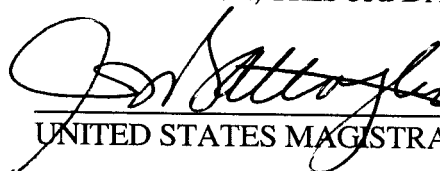
And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

Claudia Rios, U.S. Customs and Border
Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **3rd** DAY OF
APRIL, 2008.



UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

The complaint states that **Erika CABRERA- Espinoza, Fernando FUENTES -Cardenas** and **Salvador CABRERA- Alvarez** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial thereof by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail as prescribed in Title 18, United States Code, Section 3144.

On April 1, 2008, at about 1825 hours, Juan Ricardo FLORES-Suarez, AKA: Juan Flores Martinez (Defendant) applied for entry into the United States from Mexico through the San Ysidro Port of Entry. Defendant was the driver of a blue 1996 Chevrolet Lumina. Defendant was the sole and only visible occupant in the vehicle at the time of entry. Defendant presented a Permanent Resident Card (I-551) bearing the name and photo image of Ibarra Ramirez, Carlos to a primary Customs and Border Protection (CBP) Officer. Defendant gave a negative customs declaration to a primary CBP Officer and stated that he was traveling to San Diego, California. A primary CBP Officer conducted further inspection, opened the trunk of the vehicle and observed several people inside the trunk. Defendant and vehicle were referred to the secondary lot.

In the secondary lot, CBP Officers removed a total of four individuals from the trunk of the vehicle. It was determined that Defendant, and the other four individuals are citizens of Mexico with no entitlements to enter or reside in the United States. Three of the four adults are now identified as material witnesses, **Erika CABRERA- Espinoza (MW1), Fernando FUENTES-Cardenas (MW2)** and **Salvador CABRERA-Alvarez (MW3)**.

During a videotaped proceeding, Defendant was advised of his Miranda Rights in the Spanish language. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted that he made smuggling arrangements with a man who he identified as "Chacha". Defendant stated that "Chacha" provided him with the "mica" and the vehicle on or about yesterday, April 1, 2008, while at a house in Tijuana, Mexico. Defendant stated that he was going to receive approximately \$1500 (USD) to drive the vehicle across the border with illegal aliens. Defendant stated that he agreed to drive the vehicle with passengers in the vehicle. Defendant stated that upon crossing the border he was going to receive a phone call and be provided with specific instructions of where to drop off the vehicle. Defendant stated that he was going to Los Angeles, California to seek employment. Defendant admitted that he was aware that it is against the law to present a document that has not been lawfully issued to him. Defendant admitted that he is aware that it is against the law to smuggle undocumented aliens into the United States.

Separate interviews were conducted with all Material Witnesses. All Material Witnesses admitted being citizens of Mexico with no documents to enter or reside in the United States. All Material Witnesses admitted going to Los Angeles, California to seek employment. MW1 and MW2 were going to be charged \$2800 (USD) to be smuggled into the United States. MW3 did not know how much he was to pay to be smuggled into the United States.